

Novemb. 1.  
1654.

*Katherine Pettus*, Plaintiffe }  
*Margaret Bancroft*, Defendant } In Chancery.



He *Plaintiffe* a poore Widow, oppressed in an extraordinary manner by the power of the *Defendent* and her friends in this suit in Chancery, now of 23. yeares continuance, wherein the *Plaintiffe* sueth for an Orphans portion against the *Defendent*, the Widow and Executrix of Mr. *Thomas Bancroft*, the Executor that raised his whole Estate by his Executorship.

The *Plaintiffe* through this Suit is above 2000.l. in debt, and some of her Creditors are ready to perishe for want of their Moneys, is brought to lue in *forma Pauperis*, hath sold and pawned all the Goods and meanes shee had any waies for her subsistence, and hath been and is forced to take up money at Brokage after 20. 40, and 60.l. in the hundred, and hath nothing left to live upon, but is supported upon Almes and Charity, her whole Estate, for her self, her Fatherleis children, and Creditors, being in and upon this Suit.

The Orphans portion is, by vertue of, and according to, the Orders of Court, Cast up, and Certified by a Master of Chancery, to amount unto 6720.l. upon the first of *March*, 1651. (and after 6.l. *per Cent.* since, commeth now unto 7795.l.); yet the Master hath taxed but 100.l. for the *Plaintiffes* Costs, whereas the *Plaintiffe*, and her late Husband the Orphan have spent in this suit, neere 2000.l. if not full so much.

The said *Thomas Bancroft*, the Executor, above 18. yeares agoe, at his Death, and within three weekes before his death, when this Suit had continued above Foure yeares against him, left to the *Defendent* his Wife, and their Children, being onely three Daughters, whereof the two elder were richly Married before, and hee had given them answerable Portions, a personall Estate of above 5000.l. and a reall Estate of 300.l. a yeare Lands of inheritance, or thereabouts; All which hee raised and bought, after hee had possessed himself of the Testators estate, and this Orphans portion.

The *Defendent Margaret Bancroft*, after shee had stood out all proceesse of Contempt in Chancery, and obscured her self, for almost Seven yeares together, was, by the *Plaintiffes* procurement, with much trouble, searching, and charges to the *Plaintiffe*, arrested by a Serjeant at Armes upon the 6.<sup>th</sup> day of *July*, 1648. and was Committed to the *Fleet*. where after shee had been about a yeare Imprisoned, she removed her self from thence by a *Habeas. corpus*. unto the Prison of the *Viper-Bench*, where shee still remaineth, obstinately refusing to make satisfaction to the *Plaintiffe*; And the Estate of the said *Thomas Bancroft* is so fraudulently passed away, by himself and the *Defendent*, since the beginning of this Suit, for the use of the *Defendent*, and their Children, that the poore *Plaintiffe* can get no fruit nor benefit of her Suit, though shee hath an Ordinance of Parliament of the 8<sup>th</sup> of *August* 1643. That shee should receive the fruit and benefit of her Suit by the Ordinance and Authority of both Houses of Parliament.

The *Plaintiffe* humbly representeth this short part of her Case to the Honourable Committee, that is to bring in a Bill for the Relief of Creditors and poore Prisoners, most humbly praying, That in the said Bill there may bee some speciall provision made for such like Cases; And that the words in the late Act for the Relief of Creditors and poor Prisoners (But a settlement or Graunt made by such Prisoners of their Estates, or any part thereof, or made by any other Person for whose debt the said Prisoner is Imprisoned, of his or her Estate reall or personall, or any part thereof, to any of their Children or Heyres apparent, upon Marriage or otherwise, after a Debt contracted, is not to be accounted a Purchase or Conveighance to bee allowed, further then to cause restitution of the Money, which was really payed to, and received by, such Prisoner, or other person upon such Conveighance or Graunt) may bee put into the said Bill and like Act to bee made; which Words will save much trouble in the proof of fraudulent Deeds, which the leaving out thereof in the late Ordinances would have put unto; And that there may bee, Understanding, upright, and impartiall Judges.